



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
HOSMANE et al.

Serial No. 10/679,429

Filed: October 7, 2003

For: RING EXPANDED NUCLEOSIDES AND NUCLEOTIDES

Confirmation No. 3460
Attny. Docket No. 46481

Group Art Unit: 1623

Examiner: Khare, D.

TRANSMITTAL OF RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims	46	-	46	0	50.00	\$0
(Small Entity)					(25.00)	
Independent claims	8	-	8	0	200.00	\$0
(Small Entity)					(100.00)	
Multiple Dependent	0	-	0	0	360.00	0
(Small Entity)					(180.00)	
Extension of Time	One Month		Two Months	Three Months	Four Months	
Fee	\$120		\$450	\$1,020	\$1,590	\$120.00
(Small Entity)	(\$60)		(\$225)	(\$510)	\$795	
IDS						\$0
Total						\$120.00

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

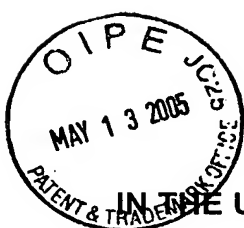
Respectfully submitted,

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Date: **May 13, 2005**

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Title: RING EXPANDED NUCLEOSIDES AND NUCLEOTIDES

* * * * *

May 13, 2005

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Reconsideration and allowance of this application is respectfully requested in view of the following remarks and enclosed, resubmitted PTO Form 1449's.

In response to the Office Action, the applicants respectfully traverse the rejection of claims 24-69 under the judicially created doctrine of obviousness-type double patenting over claims 1-31 of U.S. Patent no. 6,677,310 ('310). The presently claimed invention is not obvious in view of the claims of the '310 patent.

At page 3, lines 9-15 of the Office Action, the Examiner notes that the compounds of Formulas II-IV of the presently claimed invention and compounds of Formulas I (A, B and C) of the '310 patent have the same core structures and that there is overlap. However, the applicants submit that a person of ordinary skill in the art would recognize the substantial differences between the Formulas that clearly and patentably distinguish the presently claimed invention over that claimed in '310.